



## Notice of Public Hearings

**PUBLIC PROCEEDINGS:** Pursuant to Senate Bill 1103 (Chapter 228, Statutes of 2004), the State Department of Mental Health (DMH) will convene two public hearings to provide clarification and discuss the impact of the federal Medicaid Managed Care (MMC) regulations at Title 42, Code of Federal Regulations (CFR), Chapter IV, Subchapter C, Part 438, published June 14, 2002. Notice is hereby given that DMH will conduct the public hearings as follows:

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**Date:** October 6, 2004  
**Time:** 9:00 a.m. to 12:00 p.m. (Noon)  
**Location:** 744 P Street Auditorium  
Sacramento, CA 95814

**Date:** October 12, 2004  
**Time:** 9:00 a.m. to 12:00 p.m. (Noon)  
**Location:** 300 S. Spring St.,  
Los Angeles, CA 90013

### Telephone Conference Capabilities

Toll Free Dial In Number: (877) 300-8186  
Participant Code: 118963

### Telephone Conference Capabilities

Toll Free Dial In Number: (888) 285-4586  
Participant Code: 386475

Sign language interpreting services will be available at the public hearings. Additional reasonable accommodations will be provided upon request. Requests should be made at least 15 days prior to the meeting you wish to attend. Persons wishing to utilize the California Relay Service to request information about these hearings may do so at no cost by calling: 1-800-735-2929, if you have a TDD; or 1-800-735-2922, if you do not have a TDD.

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**CONTACT/ATTENDANCE:** Please direct any inquiries concerning the activities described in this notice to Rita McCabe-Hax. To the extent possible, please confirm your participation with Ms. McCabe-Hax. In submitting your confirmation, please provide your name, name of the organization (if applicable), the date you are participating, and whether you will participate in person or via telephone conference.

**Rita McCabe-Hax, LCSW**  
**Chief, Medi-Cal Policy and Support Section**  
**Department of Mental Health**  
**1600 9th Street Room 100**  
**Sacramento, CA 95814**  
**(1-916) 654-5722**  
**E-mail: [rmccabe@dmhhq.state.ca.us](mailto:rmccabe@dmhhq.state.ca.us).**

**COMMENTS:**

DMH is welcoming comments from any interested party. Comments must be received no later than 5:00 p.m. on October 12, 2004 and may be submitted via the United States Postal Service, facsimile, email, or hand delivered to:

**Rita McCabe-Hax, LCSW**  
**Chief, Medi-Cal Policy and Support Section**  
**Department of Mental Health**  
**1600 9<sup>th</sup> Street Room 100,**  
**Sacramento, CA 95814**  
**Fax: 1-916-654-5591**  
**Email: [rmccabe@dmhhq.state.ca.us](mailto:rmccabe@dmhhq.state.ca.us)**

DMH does not plan to issue a formal response to the submitted comments; however, a summary of the submitted comments will be included in a Legislative report and will be presented to the Legislature for budget deliberations for the Fiscal Year 2005-06 state budget.

**HISTORY:**

Medicaid is a joint Federal and State health care program for eligible low-income individuals. States have some flexibility in how they administer their Medicaid programs and programs vary from state to state. Each state's Medicaid program is described in detail in its state plan and waiver programs as approved by Centers for Medicare and Medicaid Services (CMS). California's Medicaid program, Medi-Cal, is administered by the California Department of Health Services (DHS). The California Medi-Cal mental health managed care program is administered by DMH via an Interagency Agreement with DHS and waivers approved by CMS under Section 1915(b) of the Social Security Act. Under the federal 1915(b) waiver, the Medi-Cal mental health managed care system is designed to have a statewide implementation of a single mental health plan (MHP) in each county. County mental health departments currently serve as the MHP in all counties.

The Balanced Budget Act (BBA) of 1997 allowed states greater flexibility with their Medicaid programs by allowing them to amend their state plans to require certain categories of beneficiaries to enroll in managed care systems under the state plan, rather than under waivers, if specific beneficiary protections are in place.

On June 14, 2002, CMS published the MMC final rules to implement the provisions of the BBA and to extend the BBA requirements to all Medicaid managed care arrangements. The MMC final rules are found at Title 42, CFR, Part 438. In its role as administrator of the Medi-Cal mental health managed care program for the State of California, DMH is required to ensure that the Medi-Cal managed mental health care program complies with the MMC regulations.

The primary technical areas covered in the MMC regulations that resulted in changes to the Medi-Cal managed mental health care program are presented in matrix entitled "[California Department of Mental Health Federal Medicaid Managed Care Regulations: Impact Summary](#)." You can also view flow charts demonstrating the new [grievance](#), [appeals](#) and [expedited appeals](#) processes.

- Title 9, California Code of Regulations (CCR), Division I, Chapter 11 includes the regulations that apply to the program. The full text can found at: <http://www.dmh.ca.gov/Admin/regulations/SPEC/Text.pdf>

or

<http://ccr.oal.ca.gov/>

- The full text of the MMC regulations is available at:  
<http://www.cms.hhs.gov/medicaid/managedcare/cms2104f.asp>  
or  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_03/42cfr438\\_03.html](http://www.access.gpo.gov/nara/cfr/waisidx_03/42cfr438_03.html)
- The full text of the MMC External Quality Review (EQR) regulations is available at:  
<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-1294.pdf>

### LINKS TO OTHER SUPPORTING DOCUMENTATION:

Policy Letter	Title	Web Link
DMH LETTER NO. 03-08	Changes In Medi-Cal Reimbursement Criteria For Emergency Admissions For Psychiatric Inpatient Hospital Services	<a href="http://www.dmh.ca.gov/DMHDocs/docs/letters03/03-08.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters03/03-08.pdf</a>  (ATTACHMENT) <a href="http://www.dmh.ca.gov/DMHDocs/docs/letters03/03-08-Attach1.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters03/03-08-Attach1.pdf</a>
DMH LETTER NO. 04-01	Changes In Medi-Cal Reimbursement Criteria For Emergency Admissions For Psychiatric Inpatient Hospital Services	<a href="http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-01.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-01.pdf</a>  (ATTACHMENT) <a href="http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-01_enclosure.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-01_enclosure.pdf</a>
DMH LETTER NO. 04-07	Implementation of Mental Health Plan (MHP) Practice Guidelines	<a href="http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-07.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-07.pdf</a>
DMH LETTER NO. 04-08	Medi-Cal Requirements For Policies And Procedures Regarding Advance Directives	<a href="http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-08.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-08.pdf</a>  (ATTACHMENT) <a href="http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-08_Encl_1.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-08_Encl_1.pdf</a>  (ATTACHMENT 2) <a href="http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-08_Encl_2.pdf">http://www.dmh.ca.gov/DMHDocs/docs/letters04/04-08_Encl_2.pdf</a>

DMH INFORMATION NOTICE 03-03	Change in Requirements for Certification of Medi-Cal Claims	<a href="http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-03.pdf">http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-03.pdf</a> <b>(ATTACHMENT 1)</b> <a href="http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-03_Attach_1.pdf">http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-03_Attach_1.pdf</a> <b>(ATTACHMENT 2)</b> <a href="http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-03_Attach_2.pdf">http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-03_Attach_2.pdf</a>
DMH INFORMATION NOTICE 03-13	Implementation of Federal Medicaid Managed Care Regulations	<a href="http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-13.pdf">http://www.dmh.ca.gov/DMHDocs/docs/notices03/03-13.pdf</a>